

REMARKS

Claims 7, 12 and 13 are presented for consideration, with Claim 7 being independent.

Claims 7, 12 and 13 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by or, in the alternative, under 35 U.S.C. §103 as obvious over Weigl '945. This rejection is respectfully traversed.

Claim 7 of Applicant's invention relates to a detection method for detecting a plurality of different substances contained in a specimen using a same label. The steps include flowing the specimen through a detecting element having a first substance trapping portion immobilizing a first substance trapping body for specifically trapping a first substance contained in the specimen, a second substance trapping portion immobilizing a second substance trapping body for specifically trapping a second substance contained in the specimen, with the second substance being different from the first substance, and a channel, with the first substance trapping portion being different from the second substance trapping portion, and flowing a solution containing the label through the first substance trapping portion immobilizing the first substance trapping body and the second substance trapping portion immobilizing the second substance trapping body. The label comprises a first group of label molecules bonded with a third substance trapping body capable of specifically acting on the first substance and a second group of label molecules bonded with a fourth substance trapping body capable of specifically acting on the second substance.

Claim 7 also includes the steps of flowing a solution for generating a signal from the label through the first substance trapping portion immobilizing the label such that a first layer of aqueous solution flow through the first substance trapping portion and a second layer of aqueous

solution flow through the second substance trapping portion coexist while a third layer of alcoholic solution flow exists between the first layer of aqueous solution flow and the second layer of aqueous solution flow and that the solution for generating a signal from the label forms the first layer of aqueous solution flow, to thereby acquire a signal from the first substance trapping portion, and flowing a solution for generating a signal from the label through the second substance trapping portion immobilizing the layer such that a first layer of aqueous solution flow through the first substance trapping portion and a second layer of aqueous solution flow through the second substance trapping portion coexist while a third layer of alcoholic solution flow exists between the first layer of aqueous solution flow and the second layer of aqueous solution flow and that the solution for generating a signal from the label forms the second layer of aqueous solution flow, to thereby acquire a signal from the second substance trapping portion.

As previously discussed, the Weigl patent relates to an extraction device that uses an extraction stream to remove particles contained in a sample stream. In this regard, a sample stream 2 enters through an inlet 1, and an extraction stream 4 enters through an inlet 5 (see Figure 4). Particles of different sizes exit in product streams 25, 28 and 31, and a by-product stream 12 in a feed exit channel 10 is said to contain particles of small, medium, and large sizes.

In Weigl, each reporter bead comprises a substrate bead having a plurality of at least one type of fluorescent reporter molecules immobilized thereon (column 36, lines 27-29). Moreover, Weigl discloses that a plurality of analytes can be measured simultaneously because the beads can be tagged with different reporter molecules (see column 36, lines 41-43). As understood, therefore, Weigl uses different labels, i.e., reporter molecules, as acknowledged on

paragraph 4 of the Office Action, and these reporter molecules may be bonded to the same substrate bead or separate substrate beads for simultaneously measuring a plurality of analytes.

It is submitted, therefore, that Weigl fails to teach or suggest using a same label for simultaneously detecting different target substances, as provided for in Claim 7 of Applicant's invention. In Claim 7, the same kind of label comprises a first group of label molecules and a second group of label molecules, with each group being bonded to a trapping body (a third substance trapping body or a fourth substance trapping body) capable of specifically acting on a first substance or a second substance. In this way, two groups of label molecules can be immobilized at different locations by trapping different target substances which are trapped by different trapping bodies immobilized at different locations in the detecting element. By using one kind of label, therefore, different kinds of target substances can be individually detected by flowing a solution for generating a signal from the label separately through different locations. Weigl does not teach or suggest detecting different substances in a specimen using a same label.

Accordingly, reconsideration and withdrawal of the rejection of Claims 7, 12 and 13 is respectfully requested.

Thus, it is submitted that Applicant's invention as set forth in independent Claim 7 is patentable over the cited art. In addition, dependent Claims 12 and 13 set forth additional features of Applicant's invention. Independent consideration of the dependent claims is respectfully requested.

In view of the foregoing, reconsideration and allowance of this application is deemed to be in order and such action is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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